

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANCELL HAMM,)	
)	
Plaintiff,)	Civil Action No. 08-442
)	Chief Judge Lancaster
v.)	Magistrate Judge Bissoon
)	
EDWARD RENDELL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Plaintiff Ancell Hamm (“Plaintiff”) filed the instant civil rights lawsuit on April 20, 2008. (Doc. 1). On October 8, 2009, United States Magistrate Judge Cathy Bissoon issued a report and recommendation recommending that summary judgment be granted to all Defendants. (Doc. 94). On October 20, 2009, over Plaintiff’s objections (Docs. 97 – 98), the undersigned granted summary judgment in favor of Defendants, and adopted the magistrate judge’s report as the opinion of this Court. (Docs. 99 – 100). Plaintiff filed a timely notice of appeal on November 9, 2009. (Doc. 101). The Court of Appeals for the Third Circuit dismissed this appeal on January 26, 2010, due to Plaintiff’s failure to pay the required filing fee. (Doc. 106). The court of appeals issued a certified judgment in lieu of a formal mandate on May 13, 2010. (Doc. 105).

Before this Court are two motions filed by Plaintiff on July 6, 2011. The first is a motion to reopen this case. (Doc. 107). In light of the fact that the court of appeals dismissed Plaintiff’s appeal well over a year ago, this motion will be denied.

Next is Plaintiff’s motion for the undersigned and Judge Bissoon to recuse ourselves. Given that this case has been closed for well over a year, the issue of recusal is moot.

AND NOW, this 8th day of July, 2011,

IT IS HEREBY ORDERED that the Plaintiff's Motion to Reopen Summary Judgment Pursuant to Federal Rule 60(6) [*sic*], et seq. is DENIED.

IT IS FURTHER ORDERED THAT Plaintiff's Motion to Recuse Judges Gary L. Lancaster and Cathy Bissoon is DENIED as MOOT.

BY THE COURT:



GARY L. LANCASTER
CHIEF UNITED STATES DISTRICT JUDGE

cc:
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